

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RENEE MILES and
CHARLES MILES,

Plaintiffs,

v.

ORDER

Civil File No. 9-610 (MJD/JJG)

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

This action is one of many product-liability actions that have been filed in the District of Minnesota despite having no discernable connection to Minnesota. Plaintiffs are citizens of California. Defendant Novartis Pharmaceuticals Corporation is a Delaware corporation with its corporate headquarters in New Jersey. The Complaint in this case does not indicate that any act giving rise to this action occurred in Minnesota. None of the alleged injuries for which Plaintiffs seek to recover were suffered in Minnesota.

On April 3, 2014, the Court requested briefing from the parties regarding whether transfer was appropriate under 28 U.S.C. § 1404(a) and, if so, to which

district the action should be transferred. The parties agree that transfer is appropriate to the United States District Court for the Eastern District of California. This Court agrees.

Transferring this case will promote the interests of justice and the convenience of the parties. Plaintiffs both reside within the Eastern District of California. The majority of Renee Miles' healthcare providers also reside in California. The majority of events giving rise to this lawsuit occurred in California, where Renee Miles received the drugs at issue. Defendant has no more connection to Minnesota than it does to California. Moreover, a transfer appears unlikely to prejudice any party. This case will remain in federal court and, assuming that this case was properly filed in Minnesota, the same choice-of-law rules would apply after transfer. See Ferens v. John Deere Co., 494 U.S. 516, 523 (1990) (holding that a § 1404(a) transfer does not change the law applicable in a diversity case). The main effect of a transfer will be to put the parties in a forum that has some connection to the underlying dispute and is more convenient for the parties. Overall, transfer to the Eastern District of California is the just outcome.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

This case is transferred to the United States District Court for the Eastern District of California.

Dated: May 5, 2014

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court